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March 13, 2002

William F. Caton
Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: CC94-102, ex parte communication

Dear Mr. Caton:

Pursuant to Section 1.1206 of the Rules, this is to advise that representatives of the National Emergency Number Association ("NENA") met today with Blaise Scinto, Deputy Chief of the Wireless Telecommunications Bureau's Policy Division, and other members of the Division staff to discuss several pending matters relating to wireless enhanced 9-1-1 service operation, especially location of mobile 9-1-1 callers pursuant to Phase II of the pertinent regulations.

In the matter of non-service-initialized ("NSI") phones, the NENA representatives recommended initializing donated phones, discouraging or banning "push-button" 9-1-1 only handsets and clarifying that -- subject to local law -- wireless carriers could cut off service to users making repeated and harassing calls to 9-1-1. To the extent that carriers believe the rules require forwarding of all such abusive calls, without discrimination, this also becomes a problem when an overwhelming number of calls reporting a single traffic accident or other emergency cannot be "choked" short of PSAPs for fear of violating the forward-all-calls aspect of the rules.

In the matter of wireless local number portability and number pooling, the NENA visitors reminded the WTB staff of record comments made on January 30, 2002, in CC Docket 99-200 and related proceedings.

The NENA representatives also reviewed the record of public safety association comments on Phase II waivers for national wireless carriers, including VoiceStream. With respect to pending

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waiver requests of smaller and mid-size carriers, the visitors said it was important to distinguish small carriers from rural carriers where economically justified, and suggested criteria by which the pending requests might be sorted and decided. One problem only lately identified is the lack of selective routers in rural areas.

Finally, the NENA representatives proposed to follow up with illustrations and possible requests for FCC guidance where RBOCs that have not yet satisfied the local market-opening criteria of Section 271 of the Communications Act claim to be restricted in their ability to transmit 9-1-1 calls and data across LATA boundaries.

Attending the meeting for NENA were John Melcher, First Vice President; Richard Taylor, Second Vice President; Bill Munn, Regulatory Committee co-chair; and the undersigned. Please direct any questions to me.

Sincerely,

James R. Hobson

cc: Blaise Scinto, for staff distribution

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